

The court file reflects that no party has filed an objection with the Clerk of this Court within the time limits prescribed in the Report and Recommendation.

Indeed, the Report and Recommendation, mailed to petitioner at his last known address, was also returned to the court as undeliverable with the notation, "no longer here." LCvR5.5(a) provides that if any information regarding a parties' address changes, the "pro se litigant must notify the Court by filing the form provided by the Clerk. . .". In addition, Rule 5.5(a) provides: "Papers sent by the Court will be deemed delivered if sent to the last known address given to the Court." A review of the court file reveals that the Report and Recommendation was sent to the last known address provided by petitioner and was thus deemed delivered. Clearly, petitioner has failed to provide the court with his current address. His failure to communicate with the court prevents this case from going forward. Under the circumstances, and having conducted a *de novo* review of the matter, the court finds that the Report and Recommendation should be adopted in its entirety. Therefore, petitioner's **action is DISMISSED WITHOUT PREJUDICE.**

It is so ordered this 22nd day of April, 2005.

  
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TIM LEONARD  
United States District Judge